

Government of the District of Columbia

OFFICE OF THE CORPORATION COUNSEL

DISTRICT BUILDING

WASHINGTON, D. C. 20004

IN REPLY REFER TO:
OCC:LCD:LNG:swm
LCD-2992/87-287

November 23, 1987

Ms. Sara G. Garland
Commissioner ANC 6-A05
137 - 13th Street, N.E.
Washington, D.C. 20002

Re: Amendments to ANC Bylaws

Dear Commissioner Garland:

This is in response to your letter of November 20, 1987, in which you ask whether an Advisory Neighborhood Commission (ANC) has the authority to amend its bylaws, and whether an ANC may do so without the approval of another governmental entity, such as the Corporation Counsel. Further, you seek "a clarification or elaboration of the responsibility" of an ANC with regard to its bylaws.

In regard to ANC bylaws, D.C. Code §1-262(d) (1987) states in pertinent part:

Each Commission shall establish bylaws governing its operation and internal structure. The bylaws shall be adopted by the Commission within 60 days from the date Commission members take office.

(1) These bylaws shall include a statement of Commission responsibilities, voting procedures, the establishment of standing and special committees, the manner of selection of chairpersons and other officers, procedures for prompt review and action on committee recommendations and procedures for receipt of and action upon constituent recommendations at both the single-member district and Commission levels. Said bylaws shall be consistent with the provisions of this act and other applicable laws and shall be a public document.

(2) An up-to-date copy of each Commission's bylaws and all amendments thereto shall be filed with the Council of the District of Columbia within 7 days of their initial adoption.

The power to adopt bylaws includes the power to amend them. To my knowledge, there is no law or regulation which requires that an ANC's amendments to its bylaws be submitted for approval to any other governmental entity. The responsibilities of an ANC vis-a-vis its bylaws are set forth in that part of D.C. Code § 1-262(d) (1987) which is quoted above.

Sincerely,

A handwritten signature in cursive script that reads "Leo N. Gorman". The signature is written in dark ink and is positioned above the typed name and title.

Leo N. Gorman
Assistant Corporation Counsel, D.C.
Legal Counsel Division